

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
VOPA124990		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/DE03/03278	October 2, 2003	October 9, 2002
TITLE OF INVENTION		
METHOD AND DEVICE FOR THE NON-INVASIVE ANALYSIS OF METABOLIC PROCESSES		
APPLICANT(S) FOR DO/EO/US		
Herman HEINRICH and Klaus-Jürgen KURTH		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ☒ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ 4. The US has been elected (Article 31).
- ☒ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - ☒ a. is attached hereto (required only if not communicated by the International Bureau).
  - ☒ b. has been communicated by the International Bureau.
  - ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>LLC</sup>  
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- X   7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- \_\_\_\_\_ a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_\_ b. have been communicated by the International Bureau.
- \_\_\_\_\_ c. have not been made; however, the time limit for making such amendments has NOT expired.
- X   d. have not been made and will not be made.
- \_\_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- \_\_\_\_\_ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- X   10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- \_\_\_\_\_ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- \_\_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- X   13. A preliminary amendment.
- X   14. An Application Data Sheet under 37 C.F.R. 1.76.
- \_\_\_\_\_ 15. A substitute specification.
- \_\_\_\_\_ 16. A power of attorney and/or change of address letter.
- \_\_\_\_\_ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 – 1.825.
- \_\_\_\_\_ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_\_ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X   20. Other items or information:
- X   a. A copy of the International Search Report.
- X   b. A copy of the International Preliminary Examination Report.

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The following fees are submitted:.				<b>CALCULATIONS</b>	
21. <u>  X  </u> a) Basic national fee..... \$300.00				\$300.00	
22. <u>  X  </u> b) Examination fee				\$200.00	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00					
All other situations..... \$200.00					
23. <u>  X  </u> c) Search fee				\$400.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100.00					
International Search Report prepared and provided to the Office ..... \$400.00					
All other situations..... \$500.00					
<b>TOTAL OF ABOVE CALCULATIONS =</b> \$1,000.00				\$900.00	
____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250.00</b> for each additional 50 sheets of paper or fraction thereof.				--	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate	--	
17 - 100 =	/50=		x \$250	\$--	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$--	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	10 - 20 =	0	x \$50.00	\$--	
Independent claims	1 - 3 =	0	x \$200.00	\$--	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$--	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$900.00	
____ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$--	
<b>SUBTOTAL =</b>				\$900.00	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$--	
<b>TOTAL NATIONAL FEE =</b>				\$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.				\$--	
<b>TOTAL FEES ENCLOSED =</b>				\$900.00	

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	Amount to be: refunded	\$
	Amount to be charged:	\$

- X a. Check No. 162701 in the amount of \$900.00 to cover the above fees is enclosed.
- X b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.


SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Karen B. Blöchlinger  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
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Respectfully submitted,

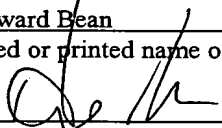
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Karen Blöchlinger, Ph.D.  
Registration No. 41,395  
Direct Dial No. 206.695.1783

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 566977206 US  
Date of Deposit: April 7, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Howard Bean  
(Typed or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

KBB:cj

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JCO6 Rec'd PCT/PTO 07 APR 2005

VERIFICATION OF TRANSLATION

**English Translation of**  
**PCT/DE2003/003278 as originally filed**

I, Andrea Wünsch, of Vossius & Partner, Siebertstr. 3, 81675 Munich, Germany, am the translator of PCT/DE2003/003278 as originally filed and I state that the following is a true translation to the best of my knowledge and belief.

(Signature of Translator)

A. Wünsch

(Date)

15/3/05